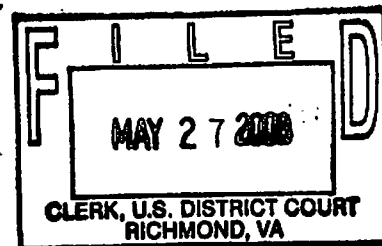


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



LEXAVIER D. WILLIAMS,

Petitioner,

v.

Civil Action No. 3:08CV30

H. PONTON,

Respondent.

MEMORANDUM OPINION

On January 23, 2008, the Court conditionally docketed Petitioner's action. Petitioner requested leave to proceed *in forma pauperis*. By Memorandum Order entered on April 21, 2008, the Court directed Petitioner to pay an initial partial filing fee of **\$8.50** or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Petitioner has neither paid the initial partial filing fee nor averred that he can not pay such a fee. Therefore, Petitioner is not entitled to proceed *in forma pauperis*. Petitioner's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

Date: **MAY 27 2008**
Richmond, Virginia

/s/
Richard L. Williams
United States District Judge